



FOR OFFICE USE ONLY	
Case No.	02-261
Date Submitted	12-13-02
300 PM	

## APPLICATION FOR A LICENSE TO ENCROACH

Date: December 9, 2002  
Location of public utility easement to be encroached upon: \_\_\_\_\_  
Property Owner's Name New Vision Custom Homes  
Property Owner's Address: 2305 Kendal Green Cir.  
Property Owner's Phone Number: 979-220-2325

### TO THE MAYOR AND CITY COUNCIL OF THE CITY OF COLLEGE STATION:

The undersigned hereby makes application for a License to Encroach the above public utility easement particularly described in Exhibit No. 1, attached. In support of this application, the undersigned represents and warrants the following:

1. The undersigned will hold the City of College Station harmless, and indemnify it against all suits, costs, expenses, and damages that may arise or grow out of such License to Encroach.
2. Attached, marked Exhibit No. 1, are two sealed copies of the metes and bounds description of that portion of the public utility easement sought to be encroached upon, prepared by a Registered Public Surveyor.
3. Attached, marked Exhibit No. 2, are two copies of a plat or detailed sketch of the public utility easement sought to be encroached upon and the surrounding area to the nearest streets in all directions, showing the abutting lots and block, and the subdivision in which the above described public utility easement is situated, together with the record owners of such lots.
4. Attached, marked Exhibit No. 3, is the consent of all public utilities to the License to Encroach.
5. Attached, marked Exhibit No. 4, is the consent of the City of College Station staff to the License to Encroach.
6. Attached, marked Exhibit No. 5, is the consent of all the abutting property owners, except the following: (if none, so state)

7. A License to Encroach the public utility easement should be granted because: the site plan  
@ This House is Completed + pending Sale wrong + I encroach on P.U.E. by  
Mistake.
8. Such public utility easement has been and is being used as follows:

Electrical, Cox, Verizon

I swear that all of the information contained in this application is true and correct to the best of my knowledge and belief.

Applicant's Signature: Guillermo Torres Jr.

Applicant's Name: Guillermo Torres Jr.

Applicant's Address: 3404 Shire Drive

College Station, TX 77845

Applicant's Phone Number: 694-6886

STATE OF TEXAS  
ACKNOWLEDGMENT  
COUNTY OF BRAZOS

Subscribed and sworn to before me, a Notary Public, this 13 day of  
December, 2002, by Emma Torres



Notary Public in and for  
the State of Texas

Application for License to  
Encroach a Public Utility Easement

Located:

*Castlegate Section 4 B1K.1 Lot 52*  
*2305 Kendel Green Cir*

**EXHIBIT NO. 1**

Attached are two sealed copies of the metes and bounds description of that portion of the public utility situated in *Castlegate Section 4, B1K.1 Lot 52, 2305 Kendel Green Cir*. Addition/Subdivision to the City of College Station, Brazos County, Texas, sought to be encroached upon.

**METES AND BOUNDS DESCRIPTION  
OF A 0.0063 ACRE TRACT OF LAND  
OUT OF THE  
CASTLEGATE SUBDIVISION,  
SECTION 4, PHASE 2,  
AS RECORDED IN  
VOLUME 4362, PAGE 42,  
OF THE OFFICIAL RECORDS OF  
BRAZOS COUNTY, TEXAS**

Being a tract of land containing 0.0063 acres, out of and part of Block 1, Lot 52, Castlegate Subdivision, Section 4, Phase 2, an addition to the City of College Station, as recorded in Volume 4362, Page 42 of the Brazos County Official Records, the 0.0063 acre tract being more particularly described as follows:

TO FIND the place of beginning, COMMENCE at a 5/8" iron rod found for the common corner of Lot 51 and Lot 52 of the said subdivision, also being a point in the southeast right-of-way line of Kendal Green Circle;

**THENCE** South 29°59'10" East departing said right-of-way line along the common line of the said lots, a distance of 26.11 feet to a point for corner;

**THENCE** North 60°00'50" East across said Lot 52, a distance of 5.53 feet to a point for corner for the **PLACE OF BEGINNING**;

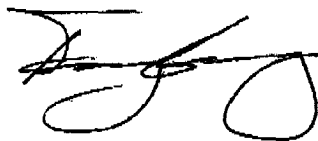
**THENCE** North 60°50'24" East, a distance of 4.63 feet to a point for corner;

**THENCE** South 29°53'17" East, a distance of 59.00 feet to a point for corner;

**THENCE** South 60°20'04" West, a distance of 4.73 feet to a point for corner;

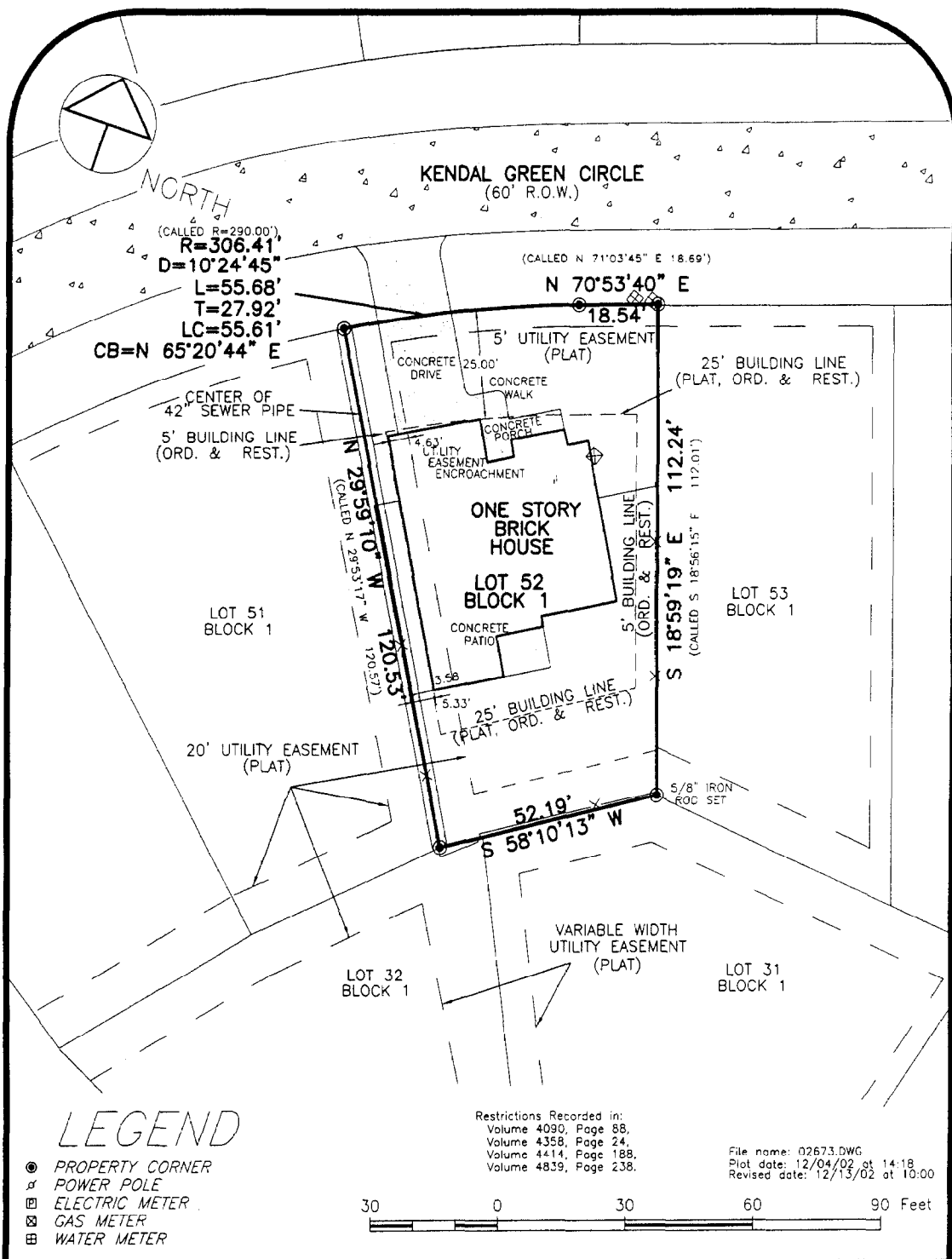
**THENCE** North 29°47'26" West, a distance of 59.04 feet to the **PLACE OF BEGINNING** containing 276.38 square feet or 0.0063 acres.

The basis of this survey is iron rods found in the right-of-way of Kendal Green Circle, as recorded on the plat, recorded in Volume 4362, Page 42, of the Official Records of Brazos County.



Dante Carlomagno  
Texas Registered Professional  
Land Surveyor No. 1562  
02673esmt.doc  
01-10-2003





## PLAT OF SURVEY

LOT No.: **FIFTY-TWO (52)** , BLOCK No.: **ONE (1)**

ADDITION OR SUBDIVISION: **CASTLEGATE SUBDIVISION,**

**SECTION 4, PHASE 2, 4362/42**

SURVEYED FOR: **PAUL CARTER AND WIFE, KIM CARTER**

TITLE CO: **BRAZOS COUNTY ABSTRACT COMPANY** COUNTY: **BRAZOS**

STREET ADDRESS: **2305 KENDAL GREEN CIRCLE** CITY: **COLLEGE STATION**

I, DANTE CARLOMAGNO, A REGISTERED PROFESSIONAL SURVEYOR, No. 1562, DO HEREBY CERTIFY THAT THE ABOVE SURVEY IS A TRUE AND ACCURATE REPRESENTATION OF AN ACTUAL ON THE GROUND SURVEY MADE UNDER MY SUPERVISION AND THERE ARE NO ENCROACHMENTS OR OVERLAPS UNLESS OTHERWISE SHOWN.

All corners are represented by ● and are 5/8" iron rods found unless otherwise noted.

DRAWN BY: J. BAILEY  
 GF# 137691  
 JOB# 02673

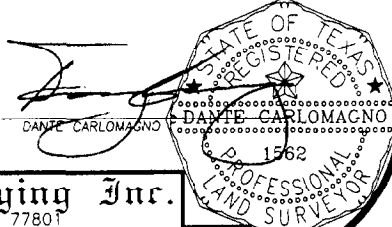
**CARLOMAGNO Surveying Inc.**

2714 Finfeather Road, Bryan, Texas 77801

PHONE: (979)775-2873 FAX: (979)775-4787 www.Carlomagnosurveying.com

The basis of this survey is iron rods found in the right-of-way of Kendal Green Circle, as recorded on the plat, as recorded in Volume 4362, Page 42, of the Official Records of Brazos County.

Said lot is not in a special flood hazard area according to the Spring Creek "Request For Conditional Letter Of Map Revision" prepared by L&A Engineering and Surveying, Inc., and submitted to FEMA in December 1999. The "CLOMR" 00-05-B44R was Approved by FEMA on 09/08/2000.



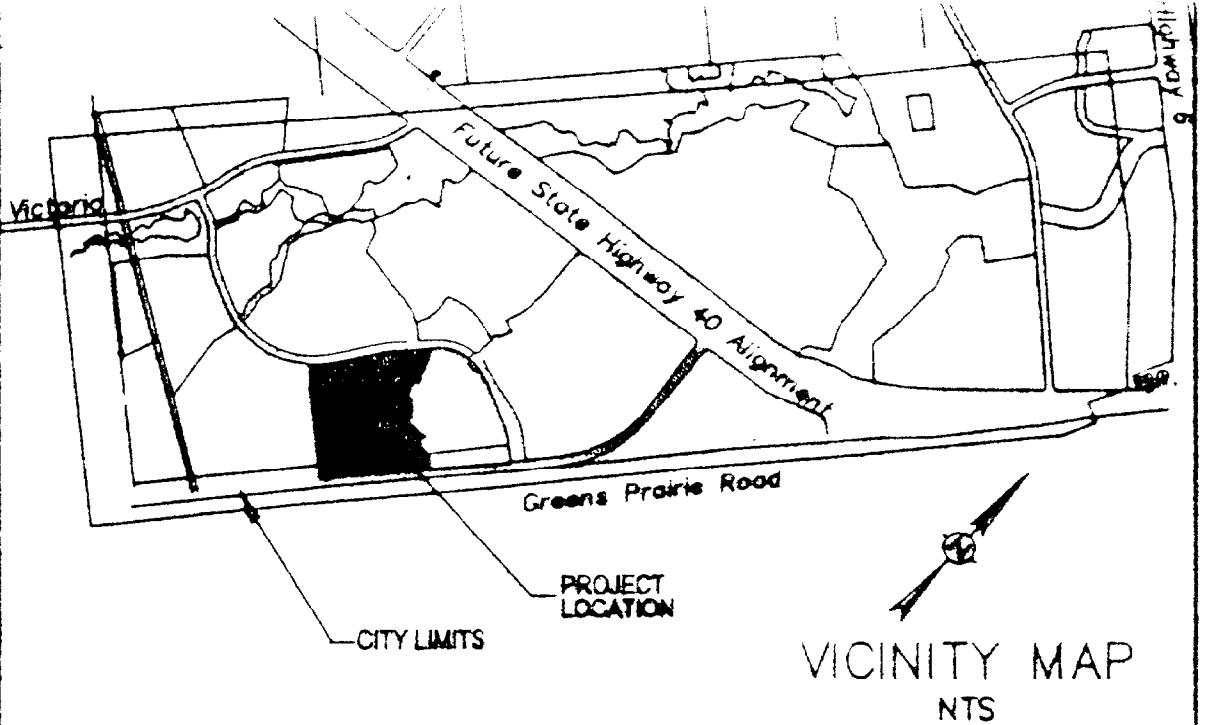
Application for License to  
Encroach a Public Utility Easement

Located:

*Castlegate Section 4, B1K 1 Lot 52*  
*2305 Kendel Green Cir.*

**EXHIBIT NO. 2**

Attached are two copies of a plat or detailed sketch of the public utility easement sought to be encroached upon in the above-mentioned application, showing the surrounding area to the nearest streets in all directions, abutting lots, the block or blocks in which the portion of the public utility easement sought to be encroached upon is situated, and the addition or subdivision in which the portion of the public utility easement sought to be encroached upon is situated. Also, the names of record owners of the abutting lots are shown.



**FINAL PLAT  
CASTLEGATE SUBDIVISION  
SECTION 4, PHASE 2  
22.94 ACRES**

**BLOCK 1, LOTS 7 THRU 53  
BLOCK 2, LOTS 33 THRU 72**

**ROBERT STEVENSON SURVEY , A-54  
COLLEGE STATION, BRAZOS COUNTY, TEXAS**

**SCALE: 1"=60'**

**JANUARY, 2001  
REV. JULY, 2001**

**OWNER/ DEVELOPER**

**PREPARED BY:**

**Greens Prairie Investors, Ltd.  
by Greens Prairie Associates, LLC  
5010 Augusta Circle  
College Station, TX 77845**

**TEXCON**

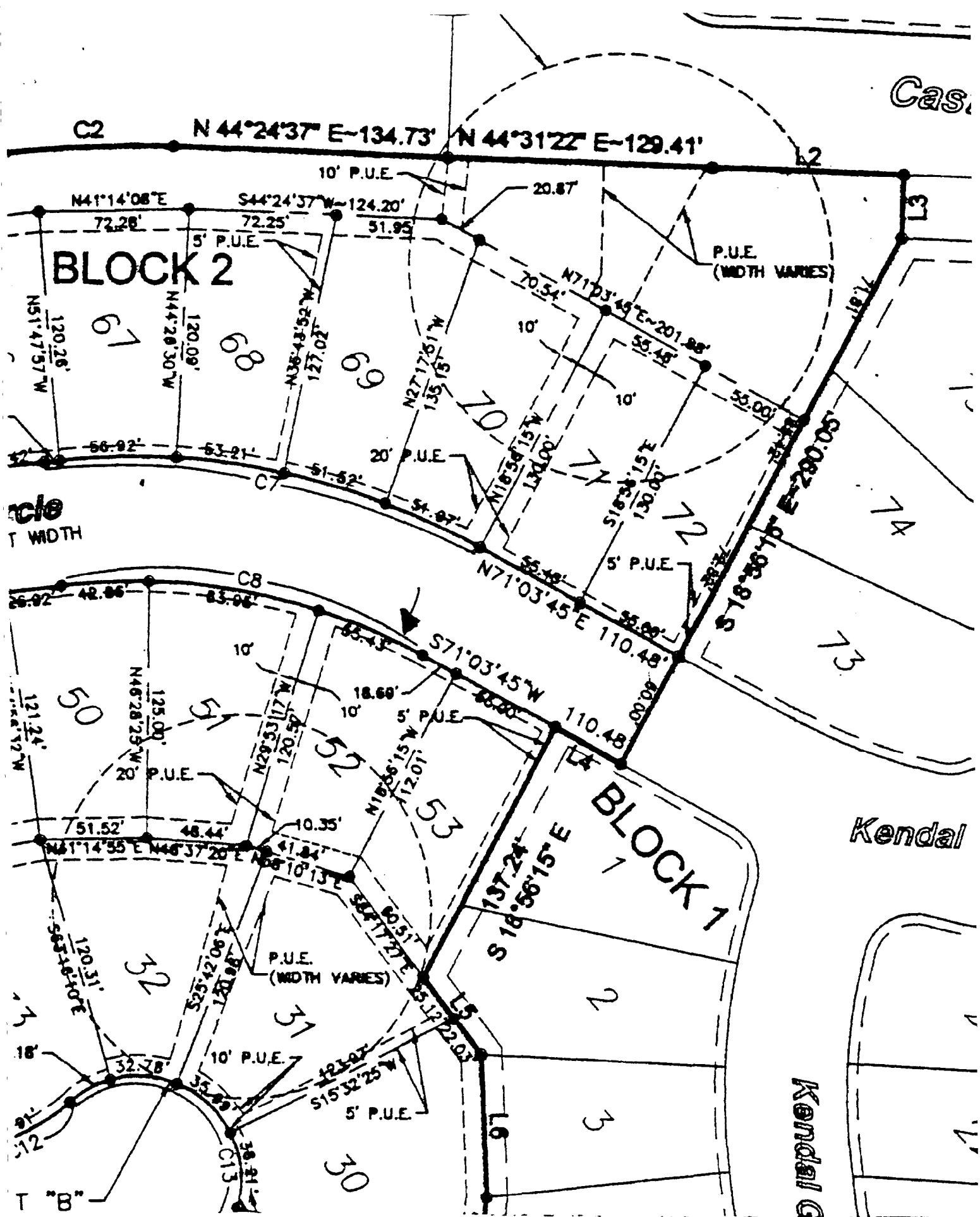
**General Contractors  
Engineer**

**SURVEYOR:**

**Dante Carlomagno, RPLS No. 1562  
CARLOMAGNO Surveying, Inc.  
2714 Finfeather Road  
Bryan TX 77801  
(979) 775-2873**

**Joseph P. Schultz, P. E.  
1707 Graham Road  
College Station, Texas 77845  
(979) 690-7711**

**SHEET 1 OF 2**





Application for License to  
Encroach a Public Utility Easement

Located Castledge Section 4 B/K 1 Lot 52  
2305 Herdel Green Cir.

EXHIBIT NO. 3

The undersigned public utility companies, using or entitled to use, under the terms and provisions of our respective franchises with the City of College Station, that portion of the public utility easement sought to be encroached upon in the Application for License to Encroach above referred to, do hereby consent to the encroachment of the described portion thereof.

TXU GAS COMPANY

BY: CRAIG WEATHERSBERG  
Title: SR. UTILITY DESIGNER  
512-244-5661 12-9-02

VERIZON TELEPHONE COMPANY

BY: \_\_\_\_\_  
Title: \_\_\_\_\_

COX COMMUNICATIONS

BY: \_\_\_\_\_  
Title: \_\_\_\_\_

Application for License to  
Encroach a Public Utility Easement

Located:

*Castle Gate Section 4 B1K1 Lot 52*  
*2305 Kerdel Green Cir.*

**EXHIBIT NO. 3**

The undersigned public utility companies, using or entitled to use, under the terms and provisions of our respective franchises with the City of College Station, that portion of the public utility easement sought to be encroached upon in the Application for License to Encroach above referred to, do hereby consent to the encroachment of the described portion thereof.

**TXU GAS COMPANY**

BY: \_\_\_\_\_  
Title: \_\_\_\_\_

**VERIZON TELEPHONE COMPANY**

BY: *John Amst*  
Title: *Supv. - Network Eng.*

**COX COMMUNICATIONS**

BY: \_\_\_\_\_  
Title: \_\_\_\_\_

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COOS DEVELOPMENT SER

PAGE 05/07

Application for License to  
Encroach a Public Utility Easement

Located:

*Castlegate Section 4 B/K 1 Lot 52*  
*2305 Kendel Green Cir.*

**EXHIBIT NO. 3**

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TXU GAS COMPANY

BY: \_\_\_\_\_  
Title: \_\_\_\_\_

VERIZON TELEPHONE COMPANY

BY: \_\_\_\_\_  
Title: \_\_\_\_\_

COX COMMUNICATIONS

BY: *Milo D. [Signature]* 12-9-02  
Title: *Plant Manager*

- 5 -

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Application for License to  
Encroach a Public Utility Easement

Located:

*College Station Section 4 BIK 1 Lot 52*  
*2305 Kendal Green Cir.*

EXHIBIT NO. 4

The undersigned, City staff of the City of College Station, certify that they have carefully considered the Application for License to Encroach the public utility easement referred to above from the standpoint of City of College Station ordinances and with respect to present and future needs of the City of College Station and see no objection to the requested license from the City's standpoint.

\_\_\_\_\_  
City Engineer  
City of College Station

*[Signature]*  
\_\_\_\_\_  
Building Official  
City of College Station

*[Signature]*  
\_\_\_\_\_  
Zoning Official  
City of College Station

*[Signature]*  
\_\_\_\_\_  
Fire Marshal  
City of College Station

*[Signature]*  
\_\_\_\_\_  
Director of Public Utilities  
City of College Station

Application for License to  
Encroach a Public Utility Easement

Located:

Castlegate Section 4, BIK 1 Lot 52  
2305 Kendel Green Cir.

**EXHIBIT NO. 5**

The undersigned, owners of property abutting upon that portion of the public utility easement named and described in the Application for License to Encroach a Public Utility Easement referred to above, do hereby consent to such license.

NAME: Marty Easterling (979) 412-1755

ADDRESS: P.O. Box 6436 (979) 846-4909

Bryan, TX 77805 Marty Easterling

NAME: BENCHMARK HOMES

ADDRESS: 1110 12th MAN COURT

CS, TX 77845

Jan Charles

NAME: Ledie Kilgore

ADDRESS: 4417 Pickering Place

CS, TX 77845

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

\_\_\_\_\_